

REMARKS

Claim 4 is canceled. Claims 1, 3, 5, 6 and 8 are amended. Claims 1-3 and 5-10 are pending in the present application.

Claims 1-3 and 5-10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,251,032 ("Werding"). Applicant respectfully traverses this rejection.

Claim 1, as amended, recites a system for "extracting, dosing, dispensing with controllable, regular and continuous flows, liquids, creams, chocolates, jame, fruit, squashes and the like, from a container thereof, said system generally comprising at least an inner tube, a sac, a balloon, a bottle, and a valve wherein said inner tube is a hollow rod (TU, TU') which extends from the top to the bottom of said container as an integral mono-body element." Claim 1 further recites that the inner tube comprises "inlet-outlet holes (FO, OL) in the highest possible position on said inner tube for said liquid or cream to avoid the formation of air bubbles; and a bulkhead (BH) substantially beneath said inlet-outlet (FO,OL holes) defining within the hollow rod a major blind portion (BL) between said bulkhead (BH) and the a male top-shaped bottom terminal (TO); wherein said rod is provided with a thermoplastic liquids-containing sac (SAU) having a bottom female cavity (FC) to accommodate the male top-shaped bottom terminal (TO) of said rod, wherein said male top-shaped bottom terminal has a throat (GO) that couples with said female cavity." Werding does not disclose all the limitations of claim 1.

Werding discloses "an appliance for discharging gaseous, liquid or pasty product, which appliance comprises an inner pouch of deformable non-extensible material for holding the product, an outer enveloping element of caoutchouc-type

macromolecular material about the inner pouch, a product outlet associated with the pouch, a valve device for controlling the discharge of product from the pouch through the outlet and being located intermediate the latter and the pouch, and a rigid core associated with the pouch.” Col. 1, lines 10-19.

Although the Examiner argues that the arrows of Figure 6 of Werding “show flow into inlet holes terminating in outlet holes” (Office Action at p. 2), Applicant submits that such holes are not the same as the inlet-outlet holes (FO, OL) of the present invention. Specifically, the arrows in Figure 6 of Werding indicate the function of the atomizer. Col. 13, lines 30-33. Moreover, Werding is silent on such holes being provided “to avoid the formation of air bubbles,” as recited in claim 1.

Werding also does not provide “a bulkhead (BH) substantially beneath said inlet-outlet (FO,OL holes) defining within the hollow rod a major blind portion (BL) between said bulkhead (BH) and the a male top-shaped bottom terminal (TO),” as recited in claim 1. The Examiner argues that portion 8 is a bulkhead. However, as disclosed in Werding, “upper end 8 of part 1B has a necked portion whereby it can be fitted in the lower end of part 1A so as to form the complete core 1” (col. 12, lines 27-29) but the “upper end 8” in no way resembles the bulkhead as recited in claim 1.

Furthermore, Werding does not provide “a thermoplastic liquids-containing sac (SAU) provided with a bottom female cavity (FC) to accommodate the male *top-shaped* bottom terminal (TO) of said rod, wherein said male top-shaped bottom terminal has a throat (GO) that couples with said female cavity,” as recited in amended claim 1 (emphasis added). Applicant asserts that pouch 13 of Figure 16 is, at best, bulbous, but *not top-shaped*. Moreover, Werding has not disclosed that pouch 13 couples with anything, much less a female cavity, as recited in claim 1.

In addition, Werding's appliance is a complex, articulated, multi-component core, formed of at least two parts 1A and 1B. The enclosure or cartridge 1A is open at its upper end 8, while its lower end 1B is closed and oval-shaped. Werding discloses that the length of 1A is variable to enable core 1 to be adapted, i.e., to suit the dimensions of a spray container such that the smaller the contents, the shorter the core 1 will be for a given initial diameter. In turn, the initial diameter will be smaller if the capacity of the container is lower. Part 1B of the core 1 has a seat 5, a central duct 6, a necked upper end, and many other parts. To deal with these and other complex requirements, Werding teaches that the area of the core must be at least 40% larger than the area of the interior of the outer enveloping element. One benefit of the present invention over Werding is that while Werding requires a complicated and expensive core structure to avoid the risk of "flag-waving" of a single, small, long tubular core component, the present invention provides a core that is simple, compact, unencumbered, and free of "flag-waving." Thus, in effect, Werding teaches away from the simple, integral mono-component rod of the present invention.

For all the reasons mentioned above, Werding does not disclose all the limitations of claim 1. Therefore, claim 1 and dependent claims 2, 3 and 5-10 are submitted to be patentable over Werding. Accordingly, Applicant respectfully requests that the 35 U.S.C. § 102(b) rejection of claims 1-3 and 5-10 be withdrawn.

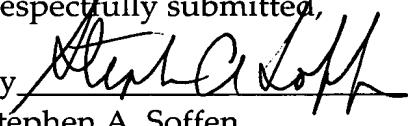
Application No. 10/511,082
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In view of the above amendment, Applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

By 
Stephen A. Soffen

Registration No.: 31,063
DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP
2101 L Street NW
Washington, DC 20037-1526
(202) 785-9700
Attorney for Applicant